



IN THE
UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Sachiko NISHIURA

CASE: 204432-0019

SERIAL NO.: 09/454,755

FILED ON: December 6, 1999

FOR: APPARATUS AND METHOD FOR
CONVERTING AN OBJECT DISPLAY
DESCRIPTION DOCUMENT

Group Art Unit: 2672

Examiner: R. Yang

COMMUNICATION
RESPONSIVE TO AN
OFFICE ACTION MAILED
JUNE 17, 2002

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, DC 20231

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Dear Sirs:

[X] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES: If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of issue fees), they may be paid out of our deposit account No. 50-1965. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition, which is required to accompany the payment.

[] Applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated _____ for _____ month(s) from _____ to _____. Submitted herewith is check No. _____ for \$_____ to cover the cost of the extension. If a check is lost, or otherwise does not accompany this Petition, please charge my deposit account number 50-1965 in the appropriate amount to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on:

Date: September 13, 2002

Signature: Marsha Morris

Print: Marsha Morris

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This communication is responsive to an Office Action mailed June 17, 2002.

The Applicant's invention relates to an apparatus and method that creates an object or a sprite which is supplied to a drawing engine or a sprite engine. On the other hand, Apparao relates to either the drawing engine or the sprite engine itself which receives objects or sprites from equipment such as that described in applicant's specifications. That is, the present invention is an apparatus and method which generates an object that corresponds to a sprite which will be supplied to a sprite engine such as that of Apparao. Apparao does not generate any object or sprite. It merely generates a bitmap on the basis of objects or sprites registered with it. Therefore, Apparao is inappropriate as a reference against applicant's claims.

According to Apparao, a front-to-back drawing is executed for the first time, and a back-to-front drawing executed for the second time. Opaque areas are drawn in the front-to-back drawing. Areas including transparent sprites are drawn in the back-to-front drawing (Column 9, line 23 to Column 10, line 34). The back-to-front drawing is also referred to as a painter's algorithm which is similar to a method wherein a person draws a picture on a canvas in which objects in a lower layer are painted and then objects in upper layer are painted over the lower layer. Therefore, there is no mention of generating an object reflecting an area including a transparent sprite.

Applicant responded to both of the Politis and Berend et al. patents in the amendment mailed May 9, 2002, pointing out the deficiencies in each patent. The Examiner responded by saying that applicant's responses are now moot because both Politis and Berend et al. are now combined with Apparao. Also, the outstanding Office

Action lists the deficiencies of both the Politis and Berend et al. patents. Hence, a combination of deficient and irrelevant patents does not anticipate the invention.

Moreover, there is no showing of any inducement to combine the references, other than by a use of hindsight growing out of having read applicant's specification and claims. That amounts to citing applicant's specification against his claims.

For the foregoing reasons, it is thought that the application is allowable. However, if the Examiner should believe otherwise, he is respectfully requested to telephone the undersigned attorney before issuing a new Office Action. Any reasonably necessary amendment will be made promptly.

Reconsideration and allowance are requested.

Dated: 9/13/02

Respectfully submitted,



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